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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 DIANA AKINS, as successor in interest to
12 SAMUEL WYNN, JR.,

13 Plaintiff,

14 v.

15 B. MOSS, et al.,

16 Defendants.
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No. 2:21-CV-1317-KJM-DMC-P

ORDER

18 Plaintiff, a prisoner proceeding pro se, brings this civil rights action under 42 U.S.C.
19 § 1983. The matter was referred to a United States Magistrate Judge as provided by Eastern
20 District of California local rules.

21 On September 23, 2025, the Magistrate Judge filed findings and recommendations, which
22 were served on the parties and which contained notice that the parties may file objections within
23 the time specified therein. No objections to the findings and recommendations have been filed.

24 The court presumes that any findings of fact are correct. *See Orand v. United States*,
25 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de
26 novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law by
27 the magistrate judge are reviewed de novo by both the district court and [the appellate] court

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1 . . .”). Having reviewed the file, the court finds the findings and recommendations to be
2 supported by the record and by the proper analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The findings and recommendations filed September 23, 2025, ECF No. 75, are
5 adopted in full.
- 6 2. Plaintiff’s motion for leave to amend, ECF No. 64, is denied.
- 7 3. Defendants’ motion for judgment on the pleadings, ECF No. 63, is granted.
- 8 4. The Clerk of the Court is directed to enter judgment and close this file.

9 DATED: November 12, 2025.

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11 UNITED STATES DISTRICT JUDGE
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